

the marriage for a year—I even had one elderly gentleman tell me he called his wife from the accountant, he was 79 years old, and he said to his wife, “I think we need to get a divorce.” She was kind of shocked by it and she said, “Why?” And he said, “Because we would be much better off if we were filing single.” And then he went through the explanation.

So this is not something that has gone by Americans, and especially families, and especially dual-income families. So I think there are many out there who are aware of this. When it comes to a difference of \$3,500 a year, for those first years I think a lot of families are thinking very strongly about it.

But just briefly, I want to wrap this up and give a couple of minutes to my other colleagues here. But I just think, when we look at the numbers, Washington created this “unintended consequence” within the Tax Code, that, as I mentioned, penalized some 21 million American couples to a tune of about \$29 billion a year. I remember President Clinton saying at a news conference not too long ago that he agreed this was an unfair tax, but he also had to put in a qualifier, “But Washington cannot do without money. This \$29 billion is too important for Washington to give up.” In other words, we are willing, bottom line, to impose an unfair tax on many of our American families just so Washington can have a few additional dollars—if you count \$29 billion as a few additional dollars—to have that at the end of the year.

According to the CBO, couples at the bottom end of the income scale who incur penalties paid in, on an average, nearly \$800. When we talk about low income and we want to give them a tax break—they paid an additional \$800 in taxes. That represented about 8 percent of their income. Repeal the penalty and those low-income families will immediately receive an 8-percent increase in their income.

So my constituents have been very clear on this issue. As I mentioned, many have come and talked to me. Many have written letters. One wrote:

This tax clearly penalizes those who marry and are trying to possibly raise a family by working two jobs just to make ends meet. Our tax laws need to give the proper incentives encouraging marriage and upholding its sacred institutions.

Mr. President, I couldn't agree more.

Also, we began to add some real reform last year with the passage of a \$500-per-child tax credit. It is a small step, but in the right direction. This Congress should do everything in its power to promote family life, to return the family to its rightful place as the center of American society. Whether lawmakers intended it or not, Congress created the marriage penalty and it rests on Congress to take it back.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas?

Mr. BROWNBACK. Mr. President, how much time is remaining?

The PRESIDING OFFICER. The Senator from Kansas has 57 seconds.

Mr. BROWNBACK. I want to explain to Members what is taking place here. Yesterday I filed an amendment to the legislative appropriations bill that would eliminate the marriage penalty we have been talking about this morning. My amendment, which is being co-sponsored by several Senators, would reinstate income splitting and provide married couples who currently labor under this Tax Code with some relief. I tried to offer my amendment last Friday with spending legislation that was originally supposed to be debated. However, because of objections from the Democrat side of the aisle to the unanimous consent request that would have guaranteed a vote on eliminating the marriage penalty, we have not been able to get a vote on the elimination of the marriage penalty.

Later in the day, another UC was propounded that would have allowed the Senate to move forward with the legislative branch appropriations bill but without my amendment, and to that UC I objected. Subsequently, the cloture motion was filed to bring debate about tax relief to a close and move forward with this legislation.

I am asking my colleagues today to vote against this cloture motion so we can consider the marriage penalty that is being objected to by my colleagues on the other side of the aisle. Thank you, Mr. President.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, morning business is closed.

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 1999

The PRESIDING OFFICER. The Senate will now resume consideration of the Legislative Branch Appropriations bill, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 4112) making appropriations for the Legislative Branch for the fiscal year ending September 30, 1999, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

McCain amendment No. 3225, to make available on the Internet, for purposes of access and retrieval by the public, certain information available through the Congressional Research Service web site.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provision of rule XXII of the

Standing Rules of the Senate, do hereby move to bring to a close debate on the legislative appropriations bill:

Trent Lott, Robert F. Bennett, Ted Stevens, Don Nickles, Bill Frist, Jesse Helms, Pete Domenici, Richard Shelby, Rod Grams, Kit Bond, Thomas A. Daschle, Orrin G. Hatch, Larry Craig, Strom Thurmond, Paul Coverdell, and Chuck Hagel.

CALL OF THE ROLL

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

VOTE

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on H.R. 4112, the legislative branch appropriations bill, shall be brought to a close?

The yeas and nays are required. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Oklahoma (Mr. INHOFE) is necessarily absent.

The yeas and nays resulted—yeas 83, nays 16, as follows:

[Rollcall Vote No. 213 Leg.]

YEAS—83

Abraham	Feinstein	Lugar
Akaka	Ford	Mack
Baucus	Frist	McConnell
Bennett	Glenn	Mikulski
Biden	Gorton	Moseley-Braun
Bingaman	Graham	Moynihan
Bond	Gramm	Murkowski
Boxer	Grams	Murray
Breaux	Grassley	Nickles
Bryan	Gregg	Reed
Bumpers	Hagel	Reid
Burns	Harkin	Robb
Byrd	Hatch	Roberts
Chafee	Hollings	Rockefeller
Cleland	Hutchison	Roth
Cochran	Inouye	Santorum
Collins	Jeffords	Sarbanes
Conrad	Johnson	Shelby
Coverdell	Kennedy	Smith (OR)
Craig	Kerrey	Snowe
D'Amato	Kerry	Specter
Daschle	Kohl	Stevens
Dodd	Landrieu	Thomas
Domenici	Lautenberg	Thurmond
Dorgan	Leahy	Torricelli
Durbin	Levin	Warner
Enzi	Lieberman	Wyden
Feingold	Lott	

NAYS—16

Allard	Faircloth	Sessions
Ashcroft	Helms	Smith (NH)
Brownback	Hutchinson	Thompson
Campbell	Kempthorne	Wellstone
Coats	Kyl	
DeWine	McCain	

NOT VOTING—1

Inhofe

The PRESIDING OFFICER. On this vote the yeas are 83, the nays are 16.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

AMENDMENT NO. 3225

The PRESIDING OFFICER. The pending business is amendment No. 3225 by the Senator from Arizona, Senator McCain.

Mr. BENNETT addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

POINT OF ORDER

Mr. BENNETT. Mr. President, I raise a point of order that the pending McCain amendment is not germane post-cloture.